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Attorneys for Defendants Guardian Industries Corp.; Guardian
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Glass Co.

*Please refer to the signature page for the complete list of attorneys and
parties agreeing to this stipulation.*

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

G&C Auto Body, Inc. on behalf of itself and all
others similarly situated,

Plaintiff,

v.

GUARDIAN INDUSTRIES CORP.;
GUARDIAN FABRICATION INC.;
GUARDIAN WALLED LAKE
FABRICATION CORP.; GUARDIAN GLASS
COMPANY; PILKINGTON GROUP
LIMITED.; PILKINGTON NORTH AMERICA
INC.; PILKINGTON HOLDINGS INC.;
NIPPON SHEET GLASS CO.; COMPAGNIE
DE SAINT-GOBAIN; SAINT-GOBAIN
CORPORATION; CERTAINTEED
CORPORATION; SAINT-GOBAIN GLASS
CORPORATION; SAINT-GOBAIN GLASS
EXPROVER NORTH AMERICA
CORPORATION; ASAHI GLASS COMPANY
LIMITED; AGC FLAT GLASS; AGC FLAT
GLASS NORTH AMERICA; AGC FLAT
GLASS EUROPE; AGC AMERICA, INC.;
AGC INTEREDGE TECHNOLOGIES, INC.;
AMA GLASS CORPORATION; PPG
INDUSTRIES, INC.; PPG AUTO GLASS,
LLC; PPG INDUSTRIES INTERNATIONAL
INC.; JOHN DOES I-X,

Defendants.

CASE NO. CV 08-01990-WDB

**STIPULATION RE: EXTENSION OF
TIME TO RESPOND TO COMPLAINT**

**STIPULATION RE: EXTENSION OF TIME
TO RESPOND TO COMPLAINT**

WHEREAS the complaint in this action was filed on or about April 16, 2008; and

WHEREAS, with respect to those defendants who have not been served, the defendants waive service of process pursuant to Rule 4 of the Federal Rules of Civil Procedure; and

WHEREAS various other plaintiffs have filed and may file complaints in this and other judicial districts relating to the subject matter of this lawsuit, including the following matters filed in the Western District of Pennsylvania: *Sellmore Industries, Inc. v. Asahi Glass Co., et al.*, Case No. 2:08-cv-00378, *Gilkey Window Company, Inc. v. Guardian Industries Corp., et al.*, Case No. 2:08-cv-00139, *D&S Glass Services, Inc. v. Asahi Glass Company Limited, et al.*, Case No. 2:08-cv-00179, *Frank's Glass, Inc. v. Guardian Industries Corp., et al.*, Case No. 2:08-cv-00202, *Superior Glass, Inc. v. Asahi Glass Company Limited, et al.*, Case No. 2:08-cv-00198, *E&G Auto Parts, Inc. v. Asahi Glass Company Limited, et al.*, Case No. 2:08-cv-00194, *Public Supply Company v. Asahi Glass Company Limited, et al.*, Case No. 2:08-cv-00240, *Greenwood Glass Co. v. Guardian Industries Corp., et al.*, Case No. 2:08-cv-00223, *Maran-Wurzell Glass & Mirror v. Asahi Glass Company Limited, et al.*, Case No. 2:08-cv-00175, *Raymond's Glass, Inc. v. Asahi Glass Company Limited, et al.*, Case No. 2:08-cv-00257, *Bailes Granite & Marble v. PPG Industries, et al.*, Case No. 2:08-cv-00282, *Thermo-Twin Industries, Inc. v. Asahi Glass Company Limited, et al.*, Case No. 2:08-cv-00359, *Interstate Building Materials v. Asahi Glass Co. Limited, et al.*, Case No. 2:08-cv-00388; the following matters filed in the Eastern District of Pennsylvania: *Colonial Glass Solutions v. Guardian Industries Corp., et al.*, Case No. 2:08-cv-00478, *Jackson Glass Company, Inc. v. Guardian Industries Corp., et al.*, Case No. 2:08-cv-00438, *John Draper d/b/a Draper's Auto Glass v. Guardian Industries Corp., et al.*, Case No. 2:07-cv-05223, *Wally's Glass Service, Inc. v. Guardian Industries Corp., et al.*, Case No. 2:08-cv-00730, *J. Steve Woodard d/b/a Fast Glass Service v. Guardian Industries Corp., et al.*, Case No. 2:08-cv-00956; *Perilstein Glass Corporation*

1 v. *Asahi Glass Company Limited, et al.*, Case No. 3:08-cv-00257 in the Northern District of Ohio;
2 *Burhans Glass Co., Inc. v. Guardian Industries Corp., et al.*, Case No. 2:08-cv-10415 in the Eastern
3 District of Michigan; *Head West, Inc. v. Guardian Industries Corp., Inc. et al.*, Case No. 2:08-cv-
4 01765 in the Central District of California; and, *Diversified Glass Services, Inc. v. Pilkington North*
5 *America, Inc., et al.*, Case No. 1:08-cv-00903 in the Southern District of New York, and any
6 subsequent or parallel proceedings regarding the subject matter of the pending civil action (together
7 with this case, the "Related Actions"); and
8

9 WHEREAS certain of the plaintiffs in the Related Actions have filed motions (the "MDL
10 Motions") with the Judicial Panel of Multidistrict Litigation (the "JPML"), pending under the JPML
11 docket captioned *In re: Flat Glass Antitrust Litigation (No. II)*, MDL Docket No. 1942, seeking an
12 order centralizing the Related Actions in a single federal judicial district for coordinated and
13 consolidated pretrial proceedings;
14

15 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between the
16 Plaintiff and the Defendants in this action, by and through their undersigned counsel or counsel
17 acting on their behalf, that the Defendants' time to answer, move, or otherwise plead in response to
18 the complaint in this action is extended until the earlier of (i) 45 days after the filing of a
19 Consolidated Amended Complaint or whatever other deadline is set by the transferee court, in the
20 event the JPML grants the MDL Motions; (ii) 45 days after service of the JPML's decision on the
21 MDL Motions or whatever other deadline is set by Judge Brazil, in the event the JPML denies the
22 MDL Motions; or (iii) the date on which the Defendants answer, move, or otherwise respond to a
23 complaint that is the subject of MDL 1942.
24

25 IT IS HEREBY FURTHER STIPULATED AND AGREED that those defendants who have
26 not been served in this case agree, pursuant to Rule 4 of the Federal Rules of Civil Procedure, to
27 waive service of process of the summons and complaint in this matter only. Nothing in this
28

1 paragraph shall obligate any Defendant to answer, move or otherwise respond to any complaint until
2 the time provided in the preceding paragraphs.

3 IT IS HEREBY FURTHER STIPULATED AND AGREED that the entry into this
4 stipulation by the Defendants shall not constitute a waiver of any defenses except for insufficiency
5 of process or insufficiency of service of process. For the avoidance of doubt, the Defendants
6 expressly preserve and do not waive any other defenses, including, but not limited to, the defenses
7 for lack of personal jurisdiction, lack of subject matter jurisdiction, or improper venue. The
8 Defendants expressly reserve the rights to raise any such defenses in response to either the current
9 complaint or any amended complaint that may be filed relating to this action.
10

11 FILER'S ATTESTATION: Pursuant to Order No. 45, Section X(B) regarding signatures,
12 Corey C. Watson attests that concurrence in the filing of this document has been obtained from each
13 of the signatories listed below.
14

15
16 DATED: May 7, 2008

/s/ Corey C. Watson

Corey C. Watson

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23 *Fabrication Corp. and Guardian Glass Company*
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2 DATED: May 7, 2008

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14 *Pilkington North America, Inc., Pilkington Holdings, Inc.*
15 *and Nippon Sheet Glass Co.*

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/s/ Jeremy Calsyn

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2 DATED: May 7, 2008

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16 *Glass Exprover North America Corporation*

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PROOF OF SERVICE

I, Aida Ramos, am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 777 South Figueroa Street, Suite 3400, Los Angeles, California 90017.

On May 7, 2008, I served the following document:

1. STIPULATION RE: EXTENSION OF TIME TO RESPOND TO COMPLAINT

on the interested parties listed below in this action as follows:

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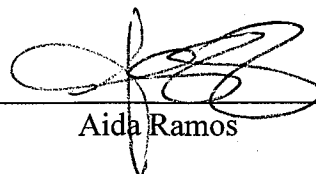
Attorneys for Defendants Compagnie de
Saint-Gobain, Saint-Gobain Corporation,
Certainteed Corporation, Saint-Gobain
Glass Corporation and, Saint-Gobain Glass
Exprover North America Corporation

14 ☒ **[Notice of Electronic Filing]** The document is being served this day on all counsel of
15 record identified above via transmission of Notices of Electronic Filing generated by CM/ECF,
16 provided they are a registered user.

18 ☒ **[U.S. Mail]** By placing the document(s) listed above in a sealed envelope with
19 postage thereon fully prepaid, in the United States mail at Los Angeles, California, addressed as set
20 forth above. I am familiar with the firm's practice of collection and processing correspondence for
21 mailing. Under that practice it would be deposited with the United States postal service on that same
22 day with postage thereon fully prepaid in the ordinary course of business.

23 ☒ **[Federal]** I declare that I am employed in the office of a member of the bar of this
24 court at whose direction the service was made.

25 Executed May 7, 2008, at Los Angeles, California.

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Aida Ramos